

ORIGINAL

PTO-1390 (Rev. 12-2004)
Approved for use through 3/31/2007, OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER Le A 36 269
INTERNATIONAL APPLICATION NO. PCT/EP03/014883	INTERNATIONAL FILING DATE 24 December 2003 (24/12/03)	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Not Assigned 10/541886
TITLE OF INVENTION Method for Inhibiting the Replication of Herpes Viruses		
APPLICANT(S) FOR DO/EO/US Ulrich BETZ, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: 1. Certificate of Mailing under 37 C.F.R. 1.10; and 2. Return Receipt Postcard</p>		

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Not Assigned		PCT/EP03/014883		Le A 36 269																						
21. The following fees are submitted:																										
<table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>a) Basic national fee.....</td> <td>\$300.00</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>b) Examination fee.....</td> <td>\$200.00</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>c) Search fee.....</td> <td>\$500.00</td> <td></td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1000.00</td> <td></td> <td></td> </tr> </table>						<input checked="" type="checkbox"/>	a) Basic national fee.....	\$300.00			<input checked="" type="checkbox"/>	b) Examination fee.....	\$200.00			<input checked="" type="checkbox"/>	c) Search fee.....	\$500.00			TOTAL OF ABOVE CALCULATIONS =			\$1000.00		
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TOTAL OF ABOVE CALCULATIONS =			\$1000.00																							
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																										
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																							
91 - 100 =	/50 =		x \$250.00																							
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																										
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																							
Total claims	- 20 =	0	x \$50.00																							
Independent claims	- 3 =	0	x \$200.00																							
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			0	+ \$360.00																						
TOTAL OF ABOVE CALCULATIONS =						\$ 1000.00																				
						\$																				
						SUBTOTAL =	\$ 1000.00																			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).						\$																				
						TOTAL NATIONAL FEE =	\$ 1000.00																			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property						\$																				
						TOTAL FEES ENCLOSED =	\$ 1000.00																			
						Amount to be refunded:	\$																			
						Amount to be charged:	\$ 1000.00																			
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.																										
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-3372</u> in the amount of \$ <u>1000.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.																										
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3372</u> . A duplicate copy of this sheet is enclosed.																										
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																										
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.																										
SEND ALL CORRESPONDENCE TO: Customer No. 35969																										
Jeffrey M. Greenman Bayer Pharmaceuticals Corporation 400 Morgan Lane West Haven, CT 06516																										
 SIGNATURE Barbara A. Shimek NAME 29,862 REGISTRATION NUMBER																										

10/541886
JC1476 PCT/PTO 07 JUL 2005

Attorney's Docket No. Le A 36 269

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Betz, et al.**

Serial No.: [to be assigned] National Stage Filing of PCT/EP03/014883

Filed: herewith

For: **Method for Inhibiting the Replication of Herpes Viruses**

MAIL STOP PCT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the *attached* correspondence comprising:

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- Application Data Sheet under 37 C.F.R. 1.76;
- Preliminary Amendment;
- Original oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4));
- English Translation of the Application (35 U.S.C. 371(c)(2));
- Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b), Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein;
- Return Receipt Post Card;
- Other:

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EO910867007US addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

07/07/05

Date

Mariellen Chapdelaine
Signature of Person Certifying /Mariellen Chapdelaine